IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

-

WRIT PETITION NO : 7508 of 1997

Between:

V. Rambabu S/o. Bangaraiah, Hindu, aged 46 years,

R/o. Chinamuridivada Village, Pendurthi Mandal,

Visakhapatnam District.

..... PETITIONER

AND

1. Government of India, Ministry of Environment & Forests
   (F.C. Division) Represented by its secretary, New Delhi.
2. Government of Andhra Pradesh, Department of Forests,
   Represented by Secretary, Secretariat Buildings at Hyderabad.
3. The Deputy Director of Mines & Geology, Visakhapatnam,
   Visakhapatnam district.
4. The Divisional Forest Officer, S.C.Division, Visakhapatnam,
   Visakhapatnam District.
5. The Assistant Director of Mines & Geology, M.V.P.Colony, Visakhapatnam.
6. The Forest Range Officer, Visakhapatnam (Range), Beach Road,
   Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ order or direction declaring the action of the Respondents 5 & 6 in not allowing the petitioner from conducting quarrying operations for Stone and Road Metal over an extent of 1 Hectare in S.No. 100 of Valimeraka Village, Pendurthi Mandal, Visakhapatnam District (Yerrakonda) Forest Block) in spite of the orders made by the Hon'ble High Court in W.P.M.P.No.29998 of 1995 in W.P.No.24374 of 1995 dated 31.10.1995 and also in view of the fact that the above area is already broken up and exploited and that the application of the petitioners to the 1st Respondent dated 05.12.1996 seeking clearance/approval under Section 2 of Forest Conservation Act, 1980 is pending and consequentially, direct the Respondents to permit the petitioner to conduct the quarrying operations in the above area and pass such other order or orders as this Hon'ble Court may deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.M.CHANDRASEKHAR REDDY

Counsel for the Respondent Nos. 1 to 6: GP FOR FORESTS

The Court made the following :

ORDER:

Heard both the Counsel.

It is represented that the writ petitioner had preferred a revision on 5.12.1996 and the same is pending before the 1st respondent. It is also stated that the said revision is pending disposal and as on this day, the 1st respondent had not disposed of the same.

In view of the facts and circumstances, let the 1st respondent dispose of the revision pending on its file within a period of two months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No order as to costs.

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11th February, 2005

Nn.

Copy to:

1. The Secretary, Government of India, Ministry of Environment & Forests, (F.C. Division), New Delhi.
2. The Secretary, Government of Andhra Pradesh, Department of Forests, Secretariat Buildings, Hyderabad.
3. The Deputy Director of Mines & Geology, Visakhapatnam, Visakhapatnam District.
4. The Divisional Forest Officer, S.C.Division, Visakhapatnam, Visakhapatnam District.
5. The Assistant Director of Mines & Geology, M.V.P. Colony, Visakhapatnam.
6. The Forest Range Officer, Visakhapatnam (Range), Beach Road, Visakhapatnam.
7. Two C.Cs to the Government Pleader for Forests, High Court Buildings, High Court of A.P., Hyderabad. (O.U.T.)

8. Two C.D.Copies.